

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America

v.

JERALD LOUIS WHITLEY

AMENDED JUDGMENT

Case No: 7:07-CR-142-1FL

USM No: 25755-056

Date of Original Judgment: September 15, 2008

Date of Previous Amended Judgment: N/A

(Use Date of Last Amended Judgment if Any)

Thomas P. McNamara

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 93 months is reduced to 77 months

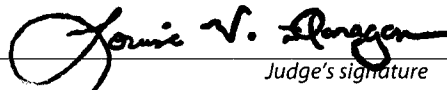
The minimum of the original guideline range was 110 months; however, based upon substantial assistance, a downward departure was granted pursuant to 5K1.1. The departure resulted in a 16.75% reduction in sentence. A comparable reduction from the bottom of the revised guideline range would result in a sentence of 77 months.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated September 15, 2008 shall remain in effect. IT IS SO ORDERED.

Order Date: 8/5/2013



Judge's signature

Effective Date: _____
(if different from order date)

Louise W. Flanagan, United States District Judge
Printed name and title